

**American Dental Association News— June 1, 2009**

**By Craig Palmer**

*Washington* - New Jersey dentists went to Capitol Hill May 13 to thank Rep. John Adler (D-N.J.) directly for offering legislation during the Washington Leadership Conference to exclude small health care practices from the FTC's Red Flag Rules.

"We'll make this go," the congressman told the New Jersey Dental Association representatives. Rep. Adler introduced HR 2345 May 12 to provide for an exclusion from red flag guidelines for health care practices with 20 or fewer employees. The legislation quickly picked up eight bipartisan cosponsors and was referred to the House Committee on Financial Services.

In a rapid fire sequence of red flag events, the Department of the Treasury, Federal Reserve System, Federal Deposit Insurance Corporation, National Credit Union Administration and Federal Trade Commission declared the regulations final and effective May 14.

The rules require financial institutions and creditors to develop and implement written identity theft programs. The FTC has said dentists and other health care professionals may be creditors subject to the rules depending on their credit arrangements with patients.

However, the FTC has temporarily delayed enforcement of the regulation until Aug. 1 "to give creditors and financial institutions more time to develop and implement written identity theft prevention programs." The Association has vigorously protested the FTC's application of Red Flags Rules to dental practices and offered member guidance in resources available online ("[w  
ww.ada.org/prof](http://www.ada.org/prof)  
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The eight initial cosponsors of HR 2345 are Reps. Robert Andrews (D-N.J.), Michael Burgess (R-Tex.), Paul Broun (R-Ga.), Joe Courtney (D-Conn.), Suzanne Kosmas (D-Fla.), Leonard

Lance (R-N.J.), Mike Simpson (R-Idaho) and a former practicing dentist, Albio Sires (D-N.J.).